

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**STIPULATION AND ORDER ON SCHEDULE FOR LITIGATION OF AND
EVIDENTIARY HEARING ON PROFIT WITHDRAWAL ISSUE**

Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), by and through his counsel, and Participating Claimants, as that term is defined in paragraph 5 of the Order Establishing Schedule For Limited Discovery and Briefing on Profit Withdrawal Issue dated June 25, 2015, ECF No. 10266, as amended by the Order Amending Schedule of Litigation of Profit Withdrawal Issue entered on April 5, 2016, ECF No. 13038, by and through their undersigned counsel, hereby stipulate and agree to the following, which modifies the prior briefing schedule set forth in the April 5, 2016 Order, ECF No. 13038.

1. On or before August 12, 2016, the Trustee and SIPC will file supplemental briefs in support of the Trustee's Motion.
2. On or before September 23, 2016, Participating Claimants may file briefs with respect to the Motion.
3. On or before September 30, 2016, the parties will exchange Preliminary Witness Lists, Pre-Marked Exhibits, and Deposition Testimony Designations.
4. On or before October 7, 2016, the parties will submit motions *in limine*.
5. On or before October 28, 2016, the parties will submit oppositions to motions *in limine*.
6. On or before November 4, 2016, the parties will submit replies to motions *in limine*.
7. On or before November 4, 2016, the parties will submit a Joint Pretrial Conference Order.
8. The parties are available for a final pretrial conference and an evidentiary hearing on the following dates: November 7-11, 2016; November 14-18, 2016; November 28-December 3, 2016; and December 5-9, 2016.
9. The litigation schedule set forth in this Order permits litigation of the Profit Withdrawal Issue only. Any other issues must be addressed separately.
10. This Order may be modified by the Court *sua sponte* or at the request of any party for good cause shown.

/s/ Seanna R. Brown

BAKER & HOSTETLER LLP

45 Rockefeller Plaza

New York, NY 10111

(212) 589-4200

(212) 589-4201

David J. Sheehan

Email: dsheehan@bakerlaw.com

Seanna R. Brown

Email: sbrown@bakerlaw.com

Amy E. Vanderwal

Email: avanderwal@bakerlaw.com

*Attorneys for Irving H. Picard, as Trustee
for the Substantively Consolidated SIPA
Estate of Bernard L. Madoff Investment
Securities LLC and Bernard L. Madoff*

/s/ Richard Kirby

BAKER & MCKENZIE LLP

815 Connecticut Avenue, NW

Washington, DC 20006

Richard Kirby

Email: richard.kirby@bakermckenzie.com

Attorney for Drs. Joel and Norman Blum

Helen Davis Chaitman

CHAITMAN LLP

465 Park Avenue

New York, NY 10022

Helen Davis Chaitman

Email: hchaitman@chaitmanllp.com

Attorney for Aaron Blecker and Adele Fox

SO ORDERED.

**Dated: July 12th, 2016
New York, New York**

/s/ STUART M. BERNSTEIN

**HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE**